

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA, )  
                                )  
                                )  
                                Plaintiff, )  
                                )  
                                )    Criminal Action  
v.                           )    No. 14-3104-01-CR-S-MDH  
                                )  
                                )  
SCOTT GOODWIN-BEY,        )  
                                )  
                                Defendant. )

**MOTION FOR CONTINUANCE**

Comes now Defendant, Scott Goodwin-Bey, by and through his attorney, Brian D. Risley, and for his Motion for Continuance, pursuant to 18 U.S.C. 3161(h)(8)(A) and (B), respectfully requests this Honorable Court continue the trial now set in this cause for February 23 to the March 30 or May 3, 2015, Joint Criminal Trial Docket. In support of said Motion, Counsel for Defendant submits the following:

1. Counsel for Defendant was appointed to represent Mr. Goodwin-Bey on January 27, 2015. The matter is set for trial on February 23, 2015.
2. Counsel for Defendant is in the process of obtaining reviewing Defendant's file from his previous counsel and getting additional information from the United States Attorney.
3. Counsel for Defendant cannot have full opportunity to advise Mr. Goodwin-Bey or adequately prepare this case in the time he has been appointed until the time the case is currently set for trial.
4. Counsel does believe that he can be ready in late March or early May, 2015, as the case is a single defendant, single count indictment case.
5. This continuance is not sought for the purpose of dilatory delay, but is sought in truth and fact so that Defendant may be afforded due process of law under the Fifth Amendment to the United States Constitution.
6. Defendant has not previously requested a continuance and US Attorney Jim Kelleher has been contacted regarding the request and advised defense counsel that he has no objection.

5. In accordance with 18 U.S.C. 3161(h)(8)(A) and (B)(iv), it is submitted that a continuance outweighs the best interests of the public and Defendant to a speedy trial, which is required by 18 U.S.C. 3161(c)(1).
6. Under the provisions of 18 U.S.C. 3161(h)(8)(A), the period of time until the requested criminal docket setting should be excluded in computing the period of time in which Defendant should be brought to trial under the Speedy Trial Act.
7. Counsel for Defendant would also request a continuance of the time to file any pre-trial motions.
8. Defendant has signed a Waiver of Speedy Trial which is being filed at the same time as this motion, and Defendant has advised this counsel that he agrees with the Motion to Continue.

WHEREFORE, Defendant respectfully requests this Court, pursuant to 18 U.S.C. 3161(h)(8)(A) and (B), to remove this case from its scheduled trial setting of February 23, 2015, and to continue this case to the March 30 or May 3, 2015, trial docket, or such other date as the Court deems just and proper, and continue the time to file any pre-trial motions in the above matter.

Respectfully submitted,

/s/ Brian D. Risley  
Brian D. Risley Bar #50580  
1441 E. Primrose St.  
Springfield, MO 65804  
(417)882-3333; fax (417)882-4444  
**ATTORNEY FOR DEFENDANT**

#### **CERTIFICATE OF SERVICE**

I hereby certify that on February 3, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the United States Attorney in this case, Jim Kelleher. I hereby certify that on February 3, 2015, the CM/ECF system listed no participants to be manually noticed.

/s/ Brian D. Risley  
Brian D. Risley